



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Rich Rogers et al.

Serial No.: 09/727,972

Filed: November 30, 2000

For: LCD AND ACTIVE
WEB ICON DOWNLOAD

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Group Art Unit: 2674

Examiner: Abdulsalam, A.

Atty. Docket: 200301731-1
COMP:0084

Mail Stop Appeal Brief - Patents
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37 C.F.R. 1.8

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November 4, 2005
Date

Kerri Hyland
Kerri Hyland

Sir:

APPEAL BRIEF PURSUANT TO 37 C.F.R. §§ 41.31 AND 41.37

This Appeal Brief is being filed in furtherance of the Notice of Appeal mailed on September 1, 2005 and received by the Patent Office on September 7, 2005.

The Commissioner is authorized to charge the requisite fee of \$500.00, and any additional fees which may be necessary to advance prosecution of the present application, to Account No. 08-2025, Order No. 200301731-1/FLE (COMP:0084).

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1. **REAL PARTY IN INTEREST**

The real party in interest is Hewlett-Packard Development Company, L.P. (hereafter "HPDC"), a Texas Limited Partnership having its principal place of business in Houston, Texas and the Assignee of the above-referenced application. Accordingly, HPDC, as the Assignee of the above-referenced application, will be directly affected by the Board's decision in the pending appeal.

2. **RELATED APPEALS AND INTERFERENCES**

Appellants are unaware of any other appeals or interferences related to this Appeal.

3. **STATUS OF CLAIMS**

Claims 1-32 are currently pending and under final rejection and, thus, are the subject of this appeal.

4. **STATUS OF AMENDMENTS**

There are no outstanding amendments.

5. **SUMMARY OF CLAIMED SUBJECT MATTER**

The present application is directed to a method and apparatus for displaying a plurality of icons on a user configurable keyboard to allow users to launch applications and uniform resource locators (URLs) that have related icons displayed on the keyboard. *See* pages 12-13. The keyboard includes a display screen, such as a liquid crystal display (LCD), for displaying user configurable icons proximate to a set of launch keys. *Id.* The launch keys are user configurable to allow a user to program the desired application program invocation or URL in the computer system memory circuitry. *Id.*

With regard to aspects of the present invention set forth in independent claim 1, discussions of the recited features of claim 1 can be found at least in the locations in the specification and drawings cited below. By way of example, an embodiment in accordance with the present invention relates to a user-configurable keyboard (e.g., keyboard 16). *See e.g.*, page 12, line 17 – page 14, line 10; FIG. 3. The user-configurable keyboard comprises a display (e.g., LCD 72) configurable to display a plurality of icons (e.g., configurable icons 74). *See e.g.*, page 12, line 23 – page 13, line 11; page 15, lines 11-23; page 16, lines 8-13; FIG. 3. Additionally, the user-configurable keyboard comprises a plurality of keys (e.g., launch keys 76) corresponding to the plurality of icons and configurable to launch one of a software program and a Uniform Resource Locator corresponding to a respective icon. *See e.g.*, page 13, line 1 – page 14, line 15; page 14, line 23 – page 15, line 15; page 16, lines 8-14; FIG. 3.

With regard to aspects of the present invention set forth in independent claim 6, discussions of the recited features of claim 6 can be found at least in the locations in the specification and drawings cited below. By way of example, an embodiment in accordance with the present invention relates to a computer system (e.g., computer system 10). *See e.g.*, page 8, line 16 – page 12, line 18; FIGS. 1, 2, and 5. The computer system comprises a console (e.g., console 12) comprising a central processing unit (e.g., CPU 28) configurable to execute software routines. *See e.g.*, page 8, line 16 – page 9, line 23; FIGS. 1, 2, and 5. Additionally, the computer system comprises a monitor electrically coupled to the console and configurable to display icons corresponding to one of a plurality of software applications and a plurality of uniform resource locators. *See e.g.*, page 14, line 13 – page 16, line 13; FIGS. 1, 2, 5, and 6. Further, the computer system comprises a keyboard (e.g., keyboard 16) electrically coupled to at least one of the monitor and the console. *See e.g.*, page 12, line 23 – page 13, line 11; page 15, lines 11-23;

page 16, lines 8-13; FIGS. 1, 3, and 5. The keyboard comprises a display (e.g., LCD 72) configurable to display a plurality of icons (e.g., configurable icons 74). *See e.g.*, page 12, line 23 – page 13, line 11; page 15, lines 11-23; page 16, lines 8-13; FIG. 3. Additionally, the keyboard comprises a plurality of keys (e.g., launch keys 76) corresponding to the plurality of icons and configurable to launch one of a software program and a Uniform Resource Locator corresponding to a respective icon. *See e.g.*, page 13, line 1 – page 14, line 15; page 14, line 23 – page 15, line 15; page 16, lines 8-14; FIG. 3.

With regard to aspects of the present invention set forth in independent claim 15, discussions of the recited features of claim 15 can be found at least in the locations in the specification and drawings cited below. By way of example, an embodiment in accordance with the present invention relates to a method of configuring a keyboard. *See e.g.*, page 16, lines 1-13; FIG. 6. The method comprises selecting (e.g., block 300) an icon from a system monitor, the icon corresponding to one of a software application and a uniform resource locator. *See e.g.*, page 12, line 11 – page 13, line 11; page 14, line 13 – page 16, line 13; FIG. 6. Additionally, the method comprises transmitting (e.g., block 306) the icon from the monitor to a keyboard. *Id.* Further, the method comprises displaying (e.g., block 306) the icon on the keyboard. *Id.*

With regard to aspects of the present invention set forth in independent claim 23, discussions of the recited features of claim 23 can be found at least in the locations in the specification and drawings cited below. By way of example, an embodiment in accordance with the present invention relates to a method of launching one of a software application and a uniform resource locator. *See e.g.*, page 16, lines 1-13; FIG. 6. The method comprises selecting (e.g., block 300) an icon from a system monitor, the icon corresponding to one of a software

application and a uniform resource locator. *See e.g.*, page 12, line 11 – page 13, line 11; page 14, line 13 – page 16, line 13; FIG. 6. Additionally, the method comprises transmitting (e.g., block 306) the icon from the monitor to a keyboard. *Id.* The method also comprises displaying (e.g., block 306) the icon on the keyboard. *Id.* Further, the method comprises depressing (e.g., block 310) a key on the keyboard corresponding to the icon. *See e.g.*, page 13, line 14 – page 14, line 10.

6. **GROUND OF REJECTION TO BE REVIEWED ON APPEAL**

Appellants respectfully urge the Board to review and reverse the Examiner's ground of rejection. The Examiner rejected claims 1-32 under 35 U.S.C. § 103(a) as being unpatentable over Powers et al. (U. S. Patent No. 6,460,103)("Powers") in view of Acevedo (U.S. Patent No. 5,818,361) and Rosenberg (U.S. Patent No. 6,693,626).

7. **ARGUMENT**

As discussed in detail below, the Examiner has improperly rejected the pending claims. Further, the Examiner has misapplied long-standing and binding legal precedents and principles in rejecting the claims under Section 103. Accordingly, Appellants respectfully request full and favorable consideration by the Board, as Appellants strongly believe that claims 1-32 are currently in condition for allowance.

A. **Ground of Rejection**

The Examiner rejected claims 1-32 under 35 U.S.C. § 103(a) as being unpatentable over Powers in view of Acevedo and Rosenberg. Appellants respectfully traverse this rejection. Each of the independent claims, as summarized above in Section 5 of this Appeal Brief, will be discussed below. Specifically, based on similarities in the subject matter recited in claims 1 and 6, these claims will be discussed together below.

Likewise, based on similarities in the subject matter recited in claims 15 and 23, these claims will be discussed together below.

1. **Judicial precedent has clearly established a legal standard for a *prima facie* obviousness rejection.**

The burden of establishing a *prima facie* case of obviousness falls on the Examiner. *Ex parte Wolters and Kuypers*, 214 U.S.P.Q. 735 (P.T.O. Bd. App. 1979). Obviousness cannot be established by combining the teachings of the prior art to produce the claimed invention absent some teaching or suggestion supporting the combination. *ACS Hospital Systems, Inc. v. Montefiore Hospital*, 732 F.2d 1572, 1577, 221 U.S.P.Q. 929, 933 (Fed. Cir. 1984). Accordingly, to establish a *prima facie* case, the Examiner must not only show that the combination includes *all* of the claimed elements, but also a convincing line of reason as to why one of ordinary skill in the art would have found the claimed invention to have been obvious in light of the teachings of the references. *Ex parte Clapp*, 227 U.S.P.Q. 972 (Bd. Pat. App. & Inter. 1985). When prior art references require a selected combination to render obvious a subsequent invention, there must be some reason for the combination other than the hindsight gained from the invention itself, i.e., something in the prior art as a whole must suggest the desirability, and thus the obviousness, of making the combination. *Uniroyal Inc. v. Rudkin-Wiley Corp.*, 837 F.2d 1044, 5 U.S.P.Q.2d 1434 (Fed. Cir. 1988). One cannot use hindsight reconstruction to pick and choose among isolated disclosures in the prior art to deprecate the claimed invention. *In re Fine*, 837 F.2d 1071, 5 U.S.P.Q.2d 1596 (Fed. Cir. 1988). Moreover, the Examiner must provide *objective evidence*, rather than subjective belief and unknown authority, of the requisite motivation or suggestion to combine or modify the cited references. *In re Lee*, 61 U.S.P.Q.2d 1430 (Fed. Cir. 2002).

2. **The Examiner's rejection of independent claims 1 and 6 is improper because the Examiner failed to establish a *prima facie* case of obviousness.**

- a. **The references cited by the Examiner fail to disclose every element of claims 1 and 6, thus the Examiner has not established a *prima facie* case of obviousness.**

With regard to independent claims 1 and 6, Appellants respectfully submit that the references cited by the Examiner do not disclose every element of the claims.

Independent claims 1 and 6 each recite a keyboard comprising “a display configurable to display a plurality of icons,” *and* “keys corresponding to the plurality of icons.” As admitted by the Examiner, “Powers does not teach a keyboard including a display configurable to display a plurality of icons.” Final Office Action, page 5. The Examiner attempted to remedy this admitted deficiency by combining the Powers reference with the Acevedo reference. However, contrary to the Examiner’s assertion, Acevedo does not disclose a keyboard comprising “*a display* configurable to display a *plurality* of icons,” *and* “keys corresponding to the plurality of icons,” as recited in the present claims.

(Emphasis added). To the contrary, in one cited embodiment, Acevedo simply discloses a keyboard having a plurality of display keys 12, wherein each of the plurality of keys includes an LCD or LED to depict a character or symbol associated with the respective key. Acevedo, col. 4, lines 1-7. As repeatedly asserted throughout the prosecution history of the present application, because each respective key of Acevedo includes an LCD or LED, it is clear that Acevedo does not disclose a display *and* keys as separate elements, since each key in Acevedo *is* a display. *See id.* Further, because each key *is* a display, it is clear that Acevedo does not disclose *a display* configurable to display a *plurality* of icons, since each key of Acevedo is only configured to display a single symbol. *See id.*

Further, Appellants assert that the display in the embodiment cited by the Examiner is not a part of the keyboard, as suggested by the Examiner. Specifically, Appellants stress that the embodiment cited by the Examiner and illustrated in FIG. 2 of Acevedo is an alternate embodiment comprising a *separate* template housing 16 having a display, which may be positioned on top of the keyboard 11. Acevedo, col. 4, lines 54-64. In response to Appellants previous assertions, the Examiner improperly asserted in the Final Office Action that both the teaching and inspection of FIG. 2 of Acevedo do not indicate a template 16 being *separate* from a keyboard. *See* Final Office Action, page 2. Appellants respectfully traverse the Examiner's assertion and submit that the Acevedo reference explicitly teaches that the template 16 is indeed a separate feature and is *not* part of the keyboard 11, as discussed further below. Appellants respectfully remind the Board that when citing a figure, the picture must show all the claimed structural features and how they are put together. *Jockmus v. Leviton*, 28 F.2d 812 (2d Cir. 1928). Additionally, the drawings must be evaluated for what they reasonably disclose and suggest to one of ordinary skill in the art. *In re Aslanian*, 590 F.2d 911, 200 U.S.P.Q. 500 (C.C.P.A. 1979). Appellants assert that the Examiner's assertions with regard to Fig. 2 of Acevedo are unsupportable and contrary to the explicit teachings of Acevedo. Thus Appellants submit that one of ordinary skill in the art would not interpret the figure in accordance with the Examiner's assertions.

As expressly stated in the Acevedo reference, "[a]s shown in FIGS. 2-4 & 6, an alternative embodiment comprising a template housing 16 is positioned between the upper edge of the keyboard and a top row of keys." Acevedo, col. 4, lines 54-56. Accordingly, it is clear that FIGS. 2-4 of Acevedo illustrate different views of the same embodiment

which clearly describes separate structures. Appellants stress that the independent structural relationship between the keyboard 11 and the template housing 16 is clearly illustrated in FIG. 3 of Acevedo, which shows that the keyboard and template housing are *separate*. FIG. 4 further substantiates this point by illustrating only the template housing 16 which is clearly independent and separate from the keyboard 11 illustrated in FIGS. 2 and 3. Because the template housing 16 is *not* part of the keyboard, but rather, is a separate component altogether, it is clear that this embodiment does not disclose the features recited in claims 1 and 6. That is, because the keyboard does not *comprise* the display configurable to display a plurality of icons (as recited in claims 1 and 6), but is instead *coupled to* the keyboard (as described in Acevedo). Accordingly, Acevedo does not remedy the deficiencies of Powers and thus, the combination proposed by the Examiner does not include all of the elements recited in claims 1 and 6.

- b. **The references cited by the Examiner fail to provide the requisite suggestion to modify or combine the references in the manner recited in claims 1 and 6, thus the Examiner has not established a *prima facie* case of obviousness.**

Even if the references cited by the Examiner hypothetically disclosed each element recited in independent claims 1 and 6, Appellants further submit that none of the cited references provide the requisite suggestion to modify or combine the references in the manner recited in the present claims. Indeed, the Examiner has presented no motivation or suggestion to combine the cited references in the manner recited in claims 1 and 6, other than hindsight gained from the present invention.

As discussed above and admitted by the Examiner, Powers does not disclose a user-configurable keyboard comprising “a display configurable to display a plurality of icons” and “keys corresponding to the plurality of icons and configurable to launch one of

a software program and a Uniform Resource Locator corresponding to a respective icon.” Even if Acevedo did include these elements, one of ordinary skill in the art would not be motivated to combine Powers with Acevedo to remedy the deficiencies of Powers. In fact, Powers and Acevedo teach away from such a combination.

Independent claims 1 and 6 each recite a user-configurable keyboard comprising “a display configurable to display a plurality of icons” and “keys corresponding to the plurality of icons and configurable to launch one of a software program and a Uniform Resource Locator corresponding to a respective icon.” In contrast, and as recognized by the Examiner, the Powers reference discloses a keyboard configured with “dedicated keys.” Powers, col. 5, lines 34-35. Further, Powers discloses dedicated keys that correspond to specific user feedback for a query from software. *See* Powers, col. 2, lines 10-15. Each of the dedicated keys carries indicia that is molded or printed onto the key, indicating the dedicated and sole function of that key. *See* Powers, col. 6, lines 12-15. Accordingly, Appellants respectfully assert that the Powers reference merely discloses a keyboard having a plurality of *preset* and *preconfigured* keys that may be used to respond to *routine software queries* (not for launching one of a software program and a Uniform Resource Locator).

Appellants further assert that there would be no motivation to combine Acevedo with Powers to remedy any suggested deficiencies of Powers. In an effort to support a *prima facie* case of obviousness, the Examiner cited the Acevedo reference as disclosing “a display keyboard (10), which includes a plurality of LCDs (20) or LEDs (20), with each display positioned adjacent to an associated key such that among other things icons abbreviations are utilized in the display” to remedy deficiencies in Powers. Final Office

Action, page 5. However, in contrast to Powers, Acevedo discloses display keys that depict data relevant to the function of the key *during a current* software application and software that allows the computer to determine “which application is *currently being employed* and ... configure the display keys accordingly.” Acevedo, col. 4, lines 25-32 (emphasis added). The teachings of the Acevedo reference are contrary to teachings of the Powers reference in that Acevedo discloses display keys having interchangeable functions within an operating or currently employed software application as opposed to Powers’ disclosure of *dedicated* keys that *launch* an application. Accordingly, Appellants respectfully assert that one of ordinary skill in the art would not be motivated to combine the dedicated keys of Powers with the display keys disclosed by Acevedo.

In fact, Powers and Acevedo teach away from the Examiner’s proposed combination. It is improper to combine references where the references teach away from their combination. *In re Grasselli*, 713 F.2d 731, 743, 218 U.S.P.Q. 769, 779 (Fed. Cir. 1983); M.P.E.P. § 2145. Moreover, if the proposed modification or combination of the prior art would change the principle of operation of the prior art invention being modified, then the teachings of the references are not sufficient to render the claims *prima facie* obvious. *In re Ratti*, 270 F.2d 810, 123 U.S.P.Q. 349 (C.C.P.A. 1959); see M.P.E.P. § 2143.01. As discussed above, the combination of Acevedo and Powers would change the operation of Powers. That is, Powers teaches the use of dedicated keys to launch an application. To modify the keyboard disclosed by Powers to combine it with the suggested configurable aspects purportedly taught by Acevedo would destroy the intended use of the Powers keyboard. Further, it is clear that Acevedo teaches away from a keyboard having dedicated keys. For at least these reasons, appellants assert that the cited combination of Powers and Acevedo is improper.

In view of the remarks set forth above, Appellants respectfully submit that none of the cited references alone or in combination disclose or suggest the elements set forth in claims 1 and 6, much less provide any suggestion to combine the disparate teachings to render the claimed subject matter obvious. Accordingly, Appellants respectfully request that the Board overturn the Examiner's rejection and allow claims 1 and 6, as well as those claims dependent thereon.

3. **The Examiner's rejection of independent claims 15 and 23 is improper because the cited references fail to disclose every element of claims 15 and 23, thus the Examiner failed to establish a *prima facie* case of obviousness.**

The references cited by the Examiner do not disclose every element of independent claims 15 and 23. Claims 15 and 23 recite, "selecting an icon from a system monitor," "transmitting the icon from the monitor to a keyboard," and "displaying the icon on the keyboard." In contrast to the present application and as admitted by the Examiner, Powers does not teach, "transmitting the icon from the monitor to the keyboard." Final Office Action, page 6. Additionally, Appellants respectfully assert that Powers does not disclose, "selecting an icon from a system monitor" as recited in claims 15 and 23. Further, Appellants assert that Rosenberg and Acevedo do not disclose these features, and thus, do not remedy these deficiencies in Powers.

First, Rosenberg fails to disclose "transmitting the icon from the monitor to a keyboard" as recited in claims 15 and 23. The Rosenberg reference "is directed to a haptic keyboard device that allows the user to experience haptic feedback when using the keyboard. This allows the user to provide input to a computer system and experience

haptic feedback when typing and otherwise inputting information using a keyboard.” Rosenberg, col. 2, lines 6-12. Appellants respectfully submit that there is nothing in the Rosenberg reference that can be accurately characterized as transmitting an icon from a monitor to a keyboard. The Rosenberg reference simply discloses a haptic keyboard device which allows a user to interact with a computer. There is nothing in the Rosenberg reference to suggest that the haptic keyboard device could be implemented or modified to transmit an icon from a monitor to a keyboard, as recited in claims 15 and 23. Accordingly, Appellants assert that because the Rosenberg reference does not even disclose transmitting an icon to a keyboard, it cannot possibly disclose “selecting an icon from a system monitor,” “transmitting the icon from the monitor to a keyboard,” and then “displaying the icon on a keyboard,” as recited in claims 15 and 23.

Second, Acevedo clearly fails to disclose “selecting an icon from a system monitor” and “transmitting the icon from the monitor to a keyboard” as recited in claims 15 and 23. The Acevedo reference teaches that software is utilized to “allow the computer to determine which application is currently being employed and further *automatically configure the display keys accordingly.*” Acevedo, col. 4, lines 29-32 (emphasis added). This is not equivalent to the recitations of claims 15 and 23. For example, there is no disclosure of “selecting an icon *from a system monitor,*” much less “transmitting the icon from the *monitor* to a keyboard,” as presently recited. (Emphasis added). Indeed, Appellants respectfully submit that the Examiner has cited nothing in the Acevedo reference that can be accurately characterized as selecting an icon from a monitor and transmitting the icon from the monitor to a keyboard. Accordingly, Appellants assert that, whether considered together or separately, the Acevedo reference does not remedy the deficiencies of Powers and Rosenberg.

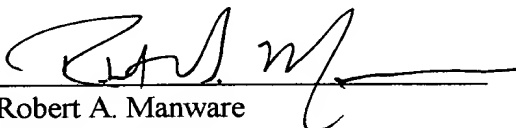
In view of the remarks set forth above, Appellants respectfully submit that none of the cited references alone or in combination disclose or suggest the elements set forth in claims 15 and 23, and thus, cannot possibly render the claimed subject matter obvious. Accordingly, Appellants respectfully request that the Board overturn the Examiner's rejection and allow claims 15 and 23, as well as those claims dependent thereon.

Conclusion

Appellants respectfully submit that all pending claims are in condition for allowance. However, if the Examiner or Board wishes to resolve any other issues by way of a telephone conference, the Examiner or Board is kindly invited to contact the undersigned attorney at the telephone number indicated below.

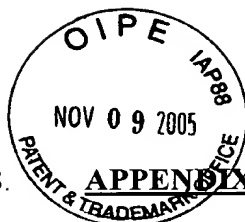
Respectfully submitted,

Date: November 4, 2005


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8. APPENDIX OF CLAIMS ON APPEAL

1. A user-configurable keyboard comprising:
a display configurable to display a plurality of icons; and
a plurality of keys corresponding to the plurality of icons and configurable to launch one of a software program and a Uniform Resource Locator corresponding to a respective icon.
2. The keyboard, as set forth in claim 1, wherein the display comprises a liquid crystal display.
3. The keyboard, as set forth in claim 1, wherein the keys comprise function keys.
4. The keyboard, as set forth in claim 1, wherein the display comprises a single window having a plurality of icons.
5. The keyboard, as set forth in claim 1, wherein the display comprises a plurality of windows, each window having at least one icon.
6. A computer system comprising:
a console comprising a central processing unit configurable to execute software routines;
a monitor electrically coupled to the console and configurable to display icons corresponding to one of a plurality of software applications and a plurality of uniform resource locators; and
a keyboard electrically coupled to at least one of the monitor and the console, the keyboard comprising:

a display configurable to display a plurality of icons; and
a plurality of keys corresponding to the plurality of icons and configurable to launch one of a software program and a Uniform Resource Locator corresponding to a respective icon.

7. The system, as set forth in claim 6, wherein the console is coupled to a network.
8. The system, as set forth in claim 6, wherein the console is coupled to the Internet.
9. The system, as set forth in claim 6, comprising a mouse.
10. The system, as set forth in claim 6, wherein the keyboard is electrically coupled to the console through a universal serial bus cable.
11. The system, as set forth in claim 6, wherein the display of the keyboard comprises a liquid crystal display.
12. The system, as set forth in claim 6, wherein the keys on the keyboard are function keys.
13. The system, as set forth in claim 6, wherein the display comprises a single window having a plurality of icons.
14. The keyboard, as set forth in claim 6, wherein the display comprises a plurality of windows, each window having at least one icon.

15. A method of configuring a keyboard comprising the acts of:
- (a) selecting an icon from a system monitor, the icon corresponding to one of a software application and a uniform resource locator;
 - (b) transmitting the icon from the monitor to a keyboard; and
 - (c) displaying the icon on the keyboard.
16. The method, as set forth in claim 15, wherein act (a) comprises the step of selecting an icon from a website.
17. The method, as set forth in claim 15, wherein act (a) comprises the step of selecting an icon from an operating system window.
18. The method, as set forth in claim 15, wherein act (a) comprises the step of selecting an icon using a mouse.
19. The method, as set forth in claim 15, wherein act (a) comprises placing the icon in a predetermined location on a system monitor.
20. The method, as set forth in claim 19, wherein act (a) comprises the step of placing the icon in a keyboard configuration window on the system monitor.
21. The method, as set forth in claim 15, wherein act (b) comprises the step of transmitting the icon from the monitor to a keyboard using a universal serial bus cable.

22. The method, as set forth in claim 15, wherein act (c) comprises the step of displaying the icon on a liquid crystal display.

23. A method of launching one of a software application and a uniform resource locator comprising the acts of:

- (a) selecting an icon from a system monitor, the icon corresponding to one of a software application and a uniform resource locator;
- (b) transmitting the icon from the monitor to a keyboard;
- (c) displaying the icon on the keyboard; and
- (d) depressing a key on the keyboard corresponding to the icon.

24. The method, as set forth in claim 23, wherein act (a) comprises the act of selecting an icon from a website.

25. The method, as set forth in claim 23, wherein act (a) comprises the act of selecting an icon from an operating system window.

26. The method, as set forth in claim 23, wherein act (a) comprises the act of selecting an icon using a mouse.

27. The method, as set forth in claim 23, wherein act (a) comprises the act of placing the icon in a predetermined location on a system monitor.

28. The method, as set forth in claim 27, wherein act (a) comprises the act of placing the icon in a keyboard configuration window on the system monitor.

29. The method, as set forth in claim 23, wherein act (b) comprises the act of transmitting the icon from the monitor to a keyboard using a universal serial bus cable.

30. The method, as set forth in claim 23, wherein act (c) comprises the step of displaying the icon on a liquid crystal display.

31. The method, as set forth in claim 23, wherein act (d) comprises the step of depressing a function key on the keyboard.

32. The method, as set forth in claim 23, wherein act (d) comprises launching one of a software application and a Uniform Resource Locator corresponding to the icon corresponding to the depressed key.

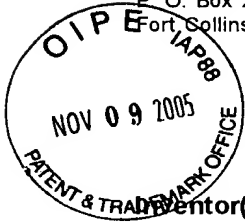
9. **EVIDENCE APPENDIX**

None

10. **RELATED PROCEEDING APPENDIX**

None

IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE



Inventor(s): Rich Rogers et al.

Confirmation No.:

Application No.: 09/727,972

Examiner: Abdulselam, A.

Filing Date: 11/30/2000

Group Art Unit: 2674

Title: LCD AND ACTIVE WEB ICON DOWNLOAD

Mail Stop Appeal Brief-Patents
Commissioner For Patents
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TRANSMITTAL OF APPEAL BRIEF

Sir:

Transmitted herewith is the Appeal Brief in this application with respect to the Notice of Appeal filed on 09/07/2005.

The fee for filing this Appeal Brief is (37 CFR 1.17(c)) \$500.00.

(complete (a) or (b) as applicable)

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136(a) apply.

() (a) Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 CFR 1.17(a)-(d) for the total number of months checked below:

() one month	\$120.00
() two months	\$450.00
() three months	\$1020.00
() four months	\$1590.00

() The extension fee has already been filled in this application.

(X) (b) Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

Please charge to Deposit Account **08-2025** the sum of \$500.00. At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account 08-2025 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 08-2025 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees. A duplicate copy of this sheet is enclosed.

(X) I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450. Date of Deposit: 11/04/2005

OR

() I hereby certify that this paper is being transmitted to the Patent and Trademark Office facsimile number _____ on _____

Number of pages:

Typed Name: Kerri Hyland

Signature: Kerri Hyland

Respectfully submitted,

Rich Rogers et al.

By Robert A. Manware

Robert A. Manware

Attorney/Agent for Applicant(s)

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Date: **11/04/2005**

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